

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,)
)
)
)
-VS-)
BERNARD DENNIS,)
)
)
Defendant.)

Criminal No. 05-78

AMBROSE, Chief District Judge.

FINDINGS OF FACT

CONCLUSIONS OF LAW

and

ORDER OF COURT

FINDINGS OF FACT

1. On March 12, 2005, around 8:00 A.M., a security guard at the United States Post Office heard screams coming from the mezzanine area, ran there and observed Defendant, Bernard Dennis, atop another man, stabbing him.
2. The guard took the Defendant into custody and handcuffed Defendant.
3. Inspector Victor Compeau, Department of Homeland Security, arrived shortly thereafter and took custody of Defendant.
4. Around 8:30 A.M., Compeau gave Defendant *Miranda* warnings and Defendant responded that he did not wish to talk.
5. At 8:45 A.M., Compeau took Defendant to the ICE headquarters on the

Southside of Pittsburgh. Defendant was processed there and put into a holding cell, where he fell asleep for around one (1) hour.

6. At approximately 12:45 P.M., Defendant was being transported to the County Jail when Defendant asked Campeau how much time he would get for what he had done.

7. At the time the Defendant made the statement, he was not being questioned; he was not threatened; and he had not been promised anything.

CONCLUSIONS OF LAW

1. Defendant's statement was voluntarily given.
2. Defendant's statement was the product of a free and unconstrained choice by Defendant.
3. There was no coercive police activity that prompted Defendant's statement.
4. Defendant's statement is admissible.

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ORDER OF COURT

AND NOW, this 8th day of May, 2006, it is Ordered that Defendant's Motion to Suppress (Docket No. 34) is Denied.

BY THE COURT:

/S/ Donetta W. Ambrose

Donetta W. Ambrose,
Chief U. S. District Judge